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/Raymond W. Green/

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Registered Representative

Date of Signature: December 17, 2009

PATENT
Case 10022-151

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Valery A. Petrushin	:	Confirmation No. :	2957
		:		
Serial No.:	09/833,301	:	Group Art Unit:	2625
		:		
Filed:	April 10, 2001	:		
		:	Examiner:	
For:	DETECTING EMOTION IN VOICE	:	Benny Quoc Tieu	
	SIGNALS IN A CALL CENTER	:		

SUBSTANCE OF INTERVIEW

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Examiner's Interview Summary and Supplemental Notice of Allowability mailed December 11, 2009, are noted with appreciation. In the Examiner's Interview Summary, Applicant is requested to file a statement of the substance of the interview.

On or about October 28, 2009, I spoke to Examiner Benny Quoc Tieu by telephone regarding the future prosecution of this Application. Examiner Tieu stated that an interference could be declared as requested, but that the presence of Claims 5-7 appeared to be directed to a different invention than the interfering Claims 2-4, and therefore hindered that effort. I stated that if the Examiner considers that Claims 5-7 are patently distinct from Claims 2-4, hence constructively non-elected, we would cancel claims 5-7, or agree to their cancellation by Examiner's amendment. The Examiner's statement in the Examiner's Interview Summary ("The new added claims 5-7 appear to include a subject matter different from the invention of claims 2-4.") is deemed equivalent to stating that Claims 5-7 are patently distinct from Claims 2-4.

Appl. No. 09/833,301
Substance of Interview Dated December 17, 2008

Accordingly, the cancellation of Claims 5-7 is without prejudice to their presentation in a divisional application under 35 USC 121.

Respectfully submitted,

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